

REMARKS

The present remarks are in response to the Office Action dated October 4, 2004. Claims 1-36 are now present in this case. Claims 37-70 were previously canceled in response to a restriction requirement.

The applicants have filed formal drawings in the application. No new matter has been introduced.

The applicants wish to express their appreciation to the Examiner for the indication that claims 15, 17-21 and 28-35 contain allowable subject matter. However, as discussed in greater detail below, it is believed that all claims are presently in condition for allowance.

Claims 1-14, 16, 22-27, and 36 stand rejected under 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a), as obvious over a document entitled "K-1 Vehicle TA-10 Flight Experiment Design and Requirements Document." The applicants wish to point out that this document was part of disclosure document number 521688, filed with the U.S. Patent Office on November 15, 2002. The document, referred to in the office action as the "K-1," was not publicly released and thus does not qualify as a publication under 35 U.S.C. § 102(b).

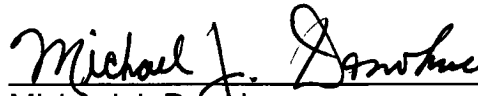
The draft document was inadvertently disclosed in an information disclosure statement, but is not prior art because it was not a publication. K-1 was an unreleased preliminary revision (rev. B) dated September 20, 2001. The applicants enclose selected pages of revision C of the same document, dated December 19, 2002. As noted on the change record (page i), revision B of the document was not released. Accordingly, revision B is not a publication and should not be used as a basis for rejection of claims. Accordingly, all claims are now in condition for allowance.

In view of the above remarks, reconsideration of the subject application and its allowance are kindly requested. If questions remain regarding the present application, the Examiner is invited to contact the undersigned at (206) 628-7640.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Michael J. Donohue", is written over a horizontal line.

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Selected pages of Revision C

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**Standard K-1 Passive Flight Experiment
Interface Definition and Requirements Document**

For the

K-1 Space Launch Vehicle

**NASA Contract Number
NAS8-01103**

**DRD 958 CM-009
DRD 958 CM-007 (partial submission)
DRD 958 VR-001 (partial submission)**

Change Record

REV	AUTHORIZATION	REASON FOR CHANGE	AFFECTED PAGE(S)
A		Not Released	
B		Not Released	
C	P22-0060	Initial Baseline Release	All

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